

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**ALEXANDRIA DIVISION**

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**PATRICK BROWN**

**CIVIL ACTION NO. 04-0904-A**

**-vs-**

**JUDGE DRELL**

**LEROY HOLIDAY, et al.**

**MAGISTRATE JUDGE KIRK**

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**ORDER**

On November 30, 2007, defendants, Bennett Book and Randall Eubanks, filed a Motion to Dismiss for Failure to Prosecute Pursuant to FRCP Rule 41(b) (Document No. 52). That motion was referred to Magistrate Judge James D. Kirk for review. Considering the subsequent pretrial conference,


IT IS ORDERED that the referral of Document No. 52 to Magistrate Judge Kirk is WITHDRAWN.

IT IS FURTHER ORDERED that, for the reasons discussed at the pretrial conference held on December 13, 2007, the Motion to Dismiss for Failure to Prosecute Pursuant to FRCP Rule 41(b) (Document No. 52) is DENIED.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this Order, the Minutes of Pretrial Conference, and all future documents not only to Patrick Brown (c/o Angela Brown at the Brooklyn, NY address listed on the docket sheet),

but also to Patrick Brown, Ashton District, Ashton PA, Westmoreland, Jamaica West Indies, the address provided on the pleading submitted by Mr. Brown in April 2007 (Document No. 48) and confirmed by Mr. Brown during the December 13, 2007 pretrial conference.

SIGNED on this 21<sup>st</sup> day of December, 2007, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read 'Dee D. Drell', is written over a horizontal line.

Dee D. Drell  
United States District Judge